



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Authorization to serve alcoholic beverages in the outdoor dining area of the restaurant located at 739 Bridgeway.

RECOMMENDED MOTION:

Staff recommends that the City Council adopt the attached resolution approving the service of alcoholic beverages in the portion of the outdoor dining area located in the public right-of-way adjacent to the restaurant at 739 Bridgeway.

BACKGROUND AND REQUEST DESCRIPTION

The applicant, Don Olsen, on behalf of property owner Walt Silva requests City Council approval to serve alcoholic beverages in the portion of the outdoor dining area located in the public right-of-way adjacent to the restaurant at 739 Bridgeway.

The applicant's plan includes an outdoor dining area that spans the width of the restaurant. A portion of the outdoor dining area is located on the private property portion of the subject site and a portion of the outdoor dining area encroaches five feet into the public right-of-way adjacent to the site, leaving a six and one-half foot wide pedestrian passageway along the public sidewalk. On January 23, 2008, the Planning Commission approved a Conditional Use Permit for the restaurant, which included approval of the outdoor dining area. On February 26, 2008, the City Council approved an Encroachment Agreement which allows the outdoor dining area, as well as awnings and planters to extend in the public sidewalk area.

In order to serve alcoholic beverages in the public right-of-way portion of the outdoor dining area, City Council approval is required in accordance with Zoning Ordinance Section 10.44.220.C.5. The applicant is thus seeking City Council approval to serve alcoholic beverages in the portion of the outdoor dining area which encroaches into the public sidewalk along Bridgeway.

FISCAL IMPACT

No fiscal impact.

STAFF RECOMMENDATION


Staff recommends that the City Council adopt the attached draft resolution approving the service and consumption of alcoholic beverages in the portion of the outdoor dining area located in the public right-of-way at 739 Bridgeway.

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ATTACHMENT

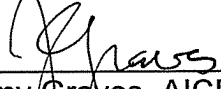
Draft City Council Resolution

PREPARED BY:



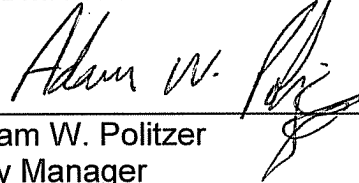
Sierra Russell
Associate Planner

REVIEWED BY:



Jeremy Graves, AICP
Community Development Director

SUBMITTED BY:



Adam W. Politzer
City Manager

DR SP 07-030\739 Bridgeway_AlcholicBev_ccsr 06-10-08.doc

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DRAFT

RESOLUTION NO. XXXX

RESOLUTION OF THE SAUSALITO CITY COUNCIL APPROVING THE SERVICE OF ALCOHOLIC BEVERAGES IN THE PORTION OF THE OUTDOOR DINING AREA LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE RESTAURANT LOCATED AT 739 BRIDGEWAY DR/SP/CUP/EA 07-030

WHEREAS, an application has been filed pursuant to Sausalito Municipal Code Section 10.44.220 by Don Olsen, on behalf of property owner Walt Silva, requesting City Council authorization of the service of alcoholic beverages in the portion of the outdoor dining area located in the public right-of-way adjacent to the restaurant located at 739 Bridgeway (APN 065-032-02).; and

WHEREAS, on January 23, 2008, the Planning Commission approved a Conditional Use Permit (DR/SP/CUP/EA 07-030) for the restaurant at 739 Bridgeway, including an outdoor dining area partially located in the adjacent public right-of-way; and

WHEREAS, on February 23, 2008, the City Council approved Resolution No. 4938 for an Encroachment Agreement (DR/SP/CUP/EA 07-030) to allow the encroachment of two awnings and five planter boxes in the public right-of-way for the subject outdoor dining area; and

WHEREAS, on June 10, 2008, the City Council provided all interested persons an opportunity to comment on the subject application; and

WHEREAS, the City Council has reviewed and considered the City Council staff report dated June 10, 2008, written testimony on the subject application, and evidence from site visits; and

WHEREAS, the City Council has found that the subject application is categorically exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301.

NOW, THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

Section 1. The service of alcoholic beverages in the portion of the outdoor dining area located in the public right-of-way adjacent to 739 Bridgeway, as shown on the plans attached as Exhibit A, is authorized.

Section 2. The time within which judicial review of this decision may be sought is governed by the provisions of section 65009 of the Government Code, section 1094.6 of the Code of Civil Procedure and all other applicable law.

THIS RESOLUTION PASSED AND ADOPTED at the regular meeting of the City Council of the City of Sausalito on the 10th day of June 2008, by the following vote:

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAIN: Councilmember:

MAYOR AMY BELSER

ATTEST: _____
CITY CLERK

Exhibit A: Piccolo Teatro Site Plan prepared by Donald Olsen Associates

DR SP 07-030\739 Bridgeway_AlcholicBev_ccreso 06-10-08.doc

EXHIBIT A

**PICCOLO TEATRO SITE PLAN
739 BRIDGEWAY OUTDOOR DINING AREA**

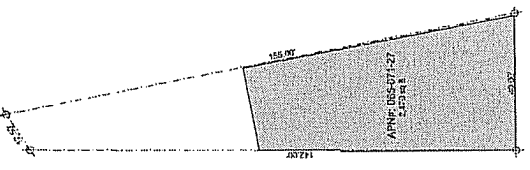
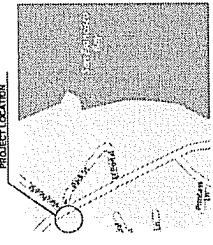
OWNER
 Walt Siro
 1500 RIVERVIEW, SUITE 200
 SAN FRANCISCO, CA 94115

CONSULTANTS
 ARCHITECT
 Donald P. Olsen and Associates
 1500 RIVERVIEW, SUITE 200
 SAN FRANCISCO, CA 94115

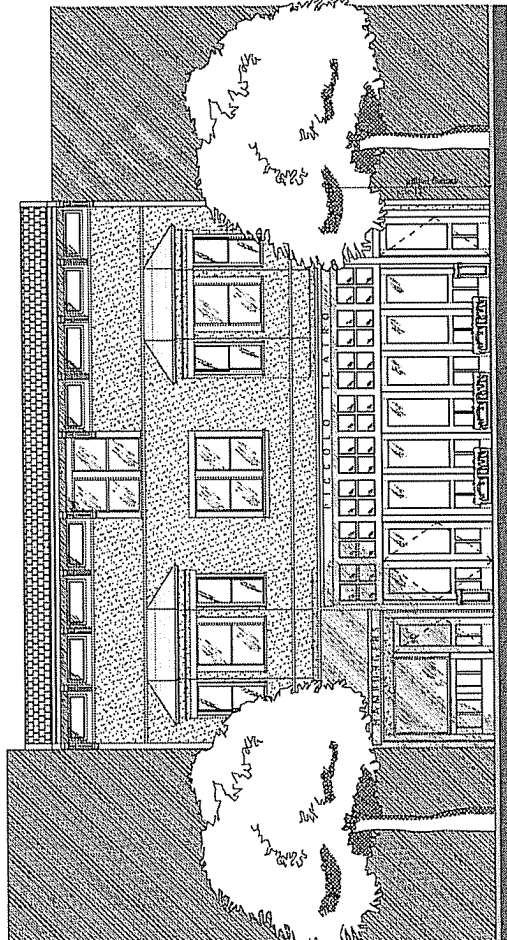
PROJECT INFORMATION
 DESCRIPTION: Remove existing brick building, construct new building, interior and exterior landscaping, site work, parking, and site improvements. Adding new parking to existing parking spaces in order to meet the requirements of the City of San Francisco.

A.P.N. 065-071-27
 ZONING CC
 CONSTRUCTION TYPE SA
 PARCEL SIZE 1,500 sq. ft.

SHEET INDEX
 A1.0 Project Location
 A2.0 Grading Plan, Erosion Control, and Site Work



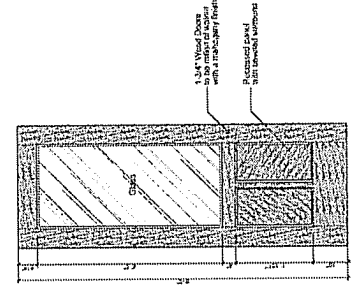
SITE PLAN
 SCALE: 1/8" = 1'-0"



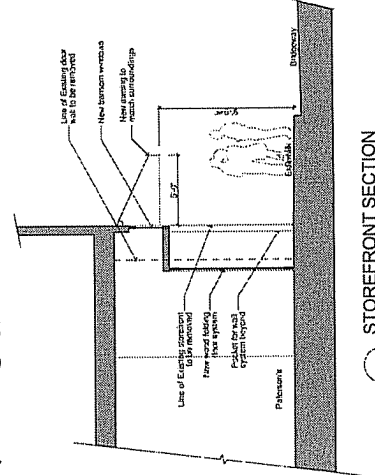
STOREFRONT ELEVATION
 SCALE: 1/4" = 1'-0"

NOTES:
 1. New storefront system to be installed and set back 10 feet from existing building line.
 2. New entrance and existing entrance to be shown in gray and black, while existing entrance to be shown in gray and black.

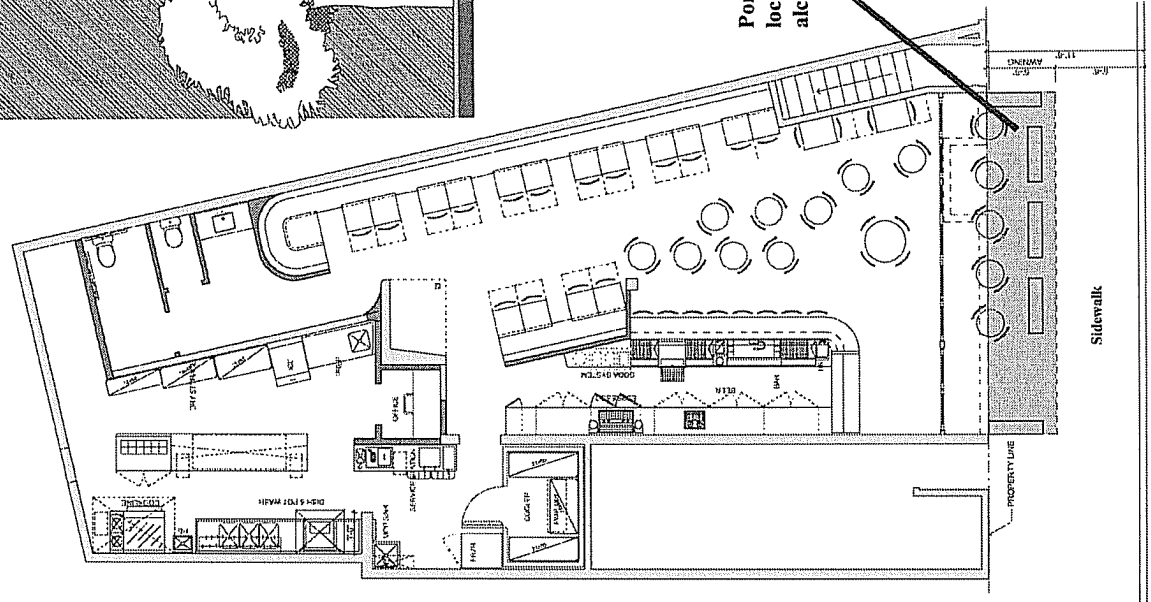
Portion of outdoor dining area located in the sidewalk where alcoholic beverages may be served. (shown in gray)



DOOR DETAIL
 SCALE: 3/4" = 1'-0"



STOREFRONT SECTION
 SCALE: 1/4" = 1'-0"



PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1'-0"

WALL LEGEND:
 1/4" = 1'-0"
 1/8" = 1'-0"
 1/16" = 1'-0"

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